



TFW 2131

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Dated: June 23, 2006

Signature: Dawn Marie Class

(Dawn Marie Class)

Docket No.: BBNT-P01-139  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Brig B. Elliott

Application No.: 09/943709

Confirmation No.: 2582

Filed: August 31, 2001

Art Unit: 2131

For: SYSTEMS AND METHODS FOR PATH  
SET-UP IN A QUANTUM KEY  
DISTRIBUTION NETWORK

Examiner: A. Sherkat

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08.

This Supplemental Information Disclosure Statement is filed after payment of the Issue Fee to satisfy our duty of candor. It is our understanding that the Supplemental Information Disclosure Statement will be placed in the file but will not be considered in accordance with 37 CFR 1.97(i).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h),

the filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. BBNT-P01-139.

Dated: June 23, 2006

Respectfully submitted,

By 

Edward A. Gordon

Registration No.: 54,130

FISH & NEAVE IP GROUP, ROPES & GRAY  
LLP

One International Place  
Boston, Massachusetts 02110-2624  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/943709
				Filing Date	August 31, 2001
				First Named Inventor	Brig B. Elliott
				Art Unit	2131
				Examiner Name	A. Sherkat
Sheet	1	of	2	Attorney Docket Number	BBNT-P01-139

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	2002/0025041	02-2002	Tomita, Akihisa	
	AB	2003/0002074	01-2003	Nambu et al.	
	AC	2003/0059157	03-2003	DeCusalis et al.	
	AD	2004/0005056	01-2004	Nishioka et al.	
	AE	2004/0008843	01-2004	Van Enk, Steven J.	
	AF	5,515,438	05-1996	Bennett et al.	
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	AU	6,895,092	05-2005	Yomita	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	CA	Bennett, C.H., et al., "Experimental Quantum Cryptography," J. Cryptology, 5:3-28 (1992).		
	CB	Bennett, C.H., "Quantum Cryptography Using Any Two Nonorthogonal States," Physical Review Letters, 68(21):3121-3124 (1992).		
	CC	Butler, W.T., et al. "Free space quantum-key distribution," Physical Review A, 57(4):2379-2382 (April 1998).		

Examiner Signature		Date Considered	
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PTO/SB/08a/b (08-03)

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Filing Date	August 31, 2001
				First Named Inventor	Brig B. Elliott
				Art Unit	2131
				Examiner Name	A. Sherkat
				Attorney Docket Number	BBNT-P01-139
Sheet	2	of	2		

	CD	Jacobs, B.C., et al., "Quantum cryptography in free space," Optics Letters, 21(22):1854-1856 (November 1996).	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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